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January 24, 2023

VIA CM/ECF

The Honorable Jessica S. Allen, U.S.M.J.
United States District Court for the District of New Jersey
Martin Luther King Building & United States Courthouse
50 Walnut Street Room 4015
Newark, NJ 07101

Re: *D'Ambly v. Exoo, et. al.*, No. 2:20-cv-12880-JMV-JSA
Joint Status Update Regarding Discovery

Your Honor:

This firm represents Defendants New York Daily News and Tribune Publishing Company, Inc. (“Defendants”) in the above-captioned matter. Defendants write jointly with Plaintiff Daniel D’Ambly’s counsel to (1) update Your Honor on the status of the parties’ meet and confer efforts consistent with the Court’s December 20, 2022 Text Order (ECF No. 147), and (2) update Your Honor on the status of completing discovery consistent with the Court’s December 1, 2022 Scheduling Order (ECF No. 143).

I. Resolution of Discovery Dispute

Consistent with Your Honor’s Order, counsel met and conferred on January 18, 2023 to discuss the dispute over Plaintiff’s proposed search terms. After the meeting, Defendants’ counsel submitted a revised list of search terms to Plaintiff’s counsel, who subsequently approved the terms. The parties are now proceeding with electronic discovery using the agreed-upon terms.

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The parties will inform the court if there are any future discovery disputes requiring court intervention in accordance with Local Rule 37.1(a).

II. Status of Completing Discovery

Defendants made an initial production of documents on December 19, 2022. With the resolution of the parties' dispute over search terms, Defendants are proceeding to review the documents based on the agreed-on search terms and will produce responsive, non-privileged documents to Plaintiff's counsel on a rolling basis. Plaintiff produced documents on December 1, 2022, and has informed Defendants' counsel that his production is complete.

No interrogatories were served by either party.

Defendants will seek to depose Plaintiff once their supplemental production of documents is complete. Plaintiff anticipates deposing Christian Exoo and additional parties to be determined once Defendants' supplemental production of documents is complete.

The parties do not anticipate any difficulty completing discovery by the Court's deadline of May 21, 2023. The parties will keep the Court informed should any unforeseen issues arise that will affect the parties' ability to complete discovery in a timely manner.

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Respectfully submitted,

s/ Joseph Mulherin

Attorney for Defendants Tribune Publishing Company
and New York Daily News

s/ Patrick Trainor

(signed with permission)
Attorney for Plaintiff Daniel D'Ambly

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